

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6125
McClintock for Congress and David)
Bauer, in his official capacity as)
treasurer; Representative Tom)
McClintock)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on July 14, 2009, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 6125:

1. Dismiss, as a matter of prosecutorial discretion, the allegations that Representative Tom McClintock and McClintock for Congress and David Bauer, in his official capacity as treasurer, violated 2 U.S.C. § 441d and 11 CFR § 110.11, and send a cautionary letter.
2. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated June 22, 2009, subject to the revisions previously circulated to the appropriate Commission staff and as further amended pursuant to the meeting discussion.
3. Approve the appropriate letters.
4. Close the file.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 16, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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